

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

ANIMACCORD LTD., a Cyprus limited
company,

Plaintiffs,

v.

Aliyah Mullen dba Arakhaim, et al,

Defendants.

Civil Action No. 1:22-cv-868-LMB-WEF

**CONSENT ORDER FOR DISMISSAL OF DEFENDANT JANETH ALVARE a/k/a
JANALV 60 AND INJUNCTION**

As attested to by the below signatures of counsel for the Plaintiff ANIMACCORD LTD. (“Plaintiff”) and Defendant JANETH ALVARE a/k/a JANALV_60, *pro se* (“Defendant”) (Plaintiff and Defendant collectively: “Parties”), this matter comes before the Court on the Parties’ Consent Order for a Dismissal, Money Judgment and Injunction.

Plaintiff filed the Complaint [Doc. #1] alleging that that Defendants listed in Schedule “A” by seller IDs are liable for trademark infringement in violation of Section 32(1) of the Lanham Act (15 U.S.C. §1114(1)), unfair competition in violation of Section 43(a) of the Lanham Act (15 U.S.C. §1125(a)), copyright infringements in violation of 17 U.S.C. §§106 and 501, and unfair competition in violation of Virginia common law (“legal claims”).

Plaintiff filed the First Amended Complaint [Doc. #37] on Sept. 20, 2022 that further identified Defendant personally and made the same legal claims.

The Parties, after conferral and investigation, now appear, Plaintiff through counsel and Defendant *pro se* to fully and finally resolve all claims between them and the matters before the Court and have moved for entry of this Order and Injunction.

WHEREFORE IT IS HEREBY STIPULATED AND ORDERED for all matters relevant to this case between the parties as follows:

1. Defendant states that her correct name is Janeth Alvarez. Defendant consents to this judgment being in her correct name of Janeth Alvarez.
2. Defendant states that she is otherwise accurately described as Defendant Seller ID #3 a/k/a janalv_60 in Schedule "A" [Doc. #37-6] in the First Amended Complaint and that she owns and operates the E-bay storefront janalv_60.
3. Defendant admits that personal jurisdiction and venue in this Court is appropriate.
4. Defendant admits listing for sale products using Plaintiff's Masha and the Bear trademarks and copyright protected characters without authorization from Plaintiff or a valid license and apologizes for her conduct.
5. Defendant avers that she sold no other products using Plaintiff's Masha and the Bear trademarks and copyright protected characters in any other marketplace besides the E-bay storefronts.
6. Defendant avers that her family is currently in a difficult financial situation.
7. Defendant was given an opportunity to discuss this consent order with legal counsel.
8. Defendant discussed this consent order with her husband Jose Alvarez who is fluent in English.
9. Pursuant to the Parties' consent order, the below Order for Money Judgment and Injunction is to be entered against Defendant.

MONEY JUDGMENT

10. A money judgment is ordered against Janeth Alvarez in favor of Plaintiff for \$9,995 (Nine Thousand Nine Hundred and Ninety-Five Dollars). However, in view of Defendant's averred financial hardship, Plaintiff will accept partial payment of \$1500.00 (One Thousand Five Hundred Dollars) as full satisfaction for the money judgment provided Defendant complies with the permanent injunction and payment schedule discuss below.

11. Defendant has made a first payment of \$250 receipt of which Plaintiff acknowledges. Defendant agrees to pay \$150 to Plaintiff monthly at the 1st day of each month starting Dec. 1, 2022, care of Plaintiff's counsel per payment schedule shown in Exhibit "A".

12. If Defendant fails to comply with the payment schedule, Plaintiff can enforce the full money judgment of \$9,995 (Nine Thousand Nine Hundred and Ninety-Five Dollars).

PERMANENT INJUNCTION

13. Janeth Alvarez (described in First Amended Complaint as Defendant Janeth Alvare a/k/a janalv_60) is permanently ENJOINED from selling or making products or services using the Masha and the Bear trademarks or incorporating the constituent elements of the Mash and the Bear characters or otherwise infringing Plaintiffs' copyrighted Works and registered trademarks without a valid license.

14. If Defendant fails to comply with this permanent injunction, Plaintiff can enforce the full money judgment of \$9,995 (Nine Thousand Nine Hundred and Ninety-Five Dollars) in addition to making a motion for sanctions holding Defendant in contempt.


15. E-bay is hereby ORDERED to immediately remove all restrictions and un-freeze all accounts associated with Defendant Janeth Alvare a/k/a janalv_60.

16. Each party shall bear their own costs and fees.

17. Pursuant to Local Rule 7(j) and Rule 78(b) of the *Federal Rules of Civil Procedure*, the Parties waive a hearing and submit the consent order for entry based upon the papers filed.

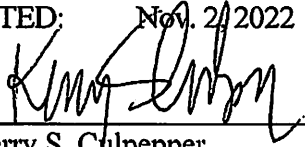
18. With entry of this Order, this matter is terminated with respect to Defendant Janeth Alvare.

SO ORDERED THIS 22ND day of Nov., 2022.

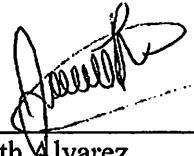
/s/ 

Leonie M. Brinkema
United States District Judge

DATED: Nov. 2, 2022



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Exhibit "A"

Payment Schedule

Payment Amount	Due Date
\$150	12/01/2022
\$150	1/01/2023
\$150	2/01/2023
\$150	3/01/2023
\$150	4/01/2023
\$150	5/01/2023
\$150	6/01/2023
\$150	7/01/2023
\$50	8/01/2023

Payment Address:

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